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SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/524,620	6/1/05	KOJI OGATA, ET AL.	F8592

Title: **CONTINUOUS CASTING OF MOLTEN STEEL FOR  
SHEET METAL**

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Art Unit	Paper Number
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Correspondence Address:

FRANK J. JORDAN  
JORDAN AND HAMBURG LLP  
122 EAST 42ND STREET  
NEW YORK, NY. 10168 10168

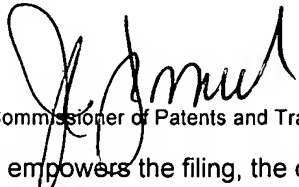
Licensee under 35 U.S.C. 184 is hereby granted to file in any foreign country a patent application and any amendments thereto corresponding to the subject matter of this U.S. application identified above and/or any material accompanying the petition. This license is conditioned upon modification of any applicable secrecy order and is subject to revocation without notice.

License Number: 534,724

Grant Date: 15-Jun-05

**This license is granted retroactively to  
the date(s) and the country(s) indicated  
on the attached decision.**

Approved:

  
for Commissioner of Patents and Trademark

This license empowers the filing, the causation and the authorization of the filing of a foreign application or applications on the subject matter identified above, subsequent forwarding of all duplicate and formal papers and the prosecution of such application or applications.

This license does not empower the filing of any applications, amendments, supplements or continuances originating in this country which disclose inventions, modifications, or variations not disclosed in the subject matter identified above.

This license is to be retained by the licensee and may be used at anytime on or after the date thereof. This license is not retroactive unless specifically indicated.

The grant of this license does not in any way lessen the responsibility of the licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Foreign Assets Control, Department of the Treasury; Office of Munitions Control, Department of State (with respect to Arms, Munitions and Implements of War); the Bureau of Trade Regulation, Office of Export Administration, Department of Commerce; and the Department of Energy.

**LICENSE FOR FOREIGN FILING**

[Title 35, United States Code (1952) Sections 184, 185, 186]



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Frank J. Jordan  
Jordan and Hamburg LLP  
122 East 42<sup>nd</sup> Street  
New York, New York 10168

In re: OGATA et al : DECISION ON REQUEST  
Serial No.: 10/524,620 : UNDER 37 CFR 5.25  
Filing date: March 17, 2005  
Docket No: 000028107

**Title: CONTINUOUS CASTING OF MOLTEN STEEL FOR SHEET METAL**

This is a decision on the petition filed on June 1, 2005 for retroactive foreign filing license.

It has been determined that a retroactive license for foreign filing under 35 U.S.C. 184 be granted with respect to the filings listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under a secrecy order, that the license was diligently sought after discovery of the proscribed foreign filing, and that the material was filed abroad without the required license under 37 C.F.R 5.11 through error and without deceptive intent.

**Country**

**Date**

JAPAN	August 20, 2002
KOREA	February 16, 2005
CHINA	February 18, 2005
MEXICO	February 18, 2005
BRAZIL	February 18, 2005
EUROPE	March 17, 2005
INDIA	March 17, 2005

Ian J. Lobo  
Patent Examiner  
(571) 272-6974

Docket No. F-8592

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

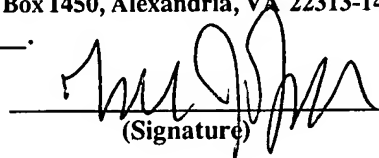
Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL FOR  
SHEET METAL  
Group Art Unit : (Not yet known)  
Examiner : (Not yet known)  
Confirmation No. : (Not yet known)  
Customer No. : 000028107

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**Certificate of Mailing Under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on May 19, 2005.

Frank J. Jordan  
(Name)

  
(Signature)

Attention Licensing and Review  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR RETROACTIVE FOREIGN FILING  
LICENSE UNDER 35 U.S.C. § 184**

Sir:

05/03/2005 NNICH002 101230 10524620  
01 FC:1463  
F8592 PETITION FOR RETROACTIVE FOREIGN FILING LIC 05-05 (PC04 ) wpd

As permitted by 35 U.S.C. § 184 and delineated by 37 C.F.R. § 5.25, Applicants hereby submit a petition for a retroactive foreign filing license for the subject matter contained in the following U.S. Patent Application:

U.S. Patent Application No.: 10/524,620

Filing date: March 17, 2005

Inventors: Koji Ogata, Donald B. Hoover, and Haruyoshi Kimura

Title: Continuous Casting of Molten Steel for Sheet Metal

Please find below the listing of foreign countries in which patent applications containing the subject matter of the above-identified U.S. patent application were filed and the corresponding dates of the filings<sup>1</sup>.

<u>Country/Region</u>	<u>Filing Date</u>
Japan	August 22, 2002
Korea	February 17, 2005
China	February 18, 2005
Mexico	February 22, 2005
Brazil	February 18, 2005

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<sup>1</sup> 37 C.F.R. § 5.25 requires a listing of each of the “foreign countries” in which the unlicensed patent application material was filed and the respective filing dates. Although 37 C.F.R. § 5.25 is silent regarding PCT applications, it should be noted that PCT/JP03/10673 contains the subject matter of the above-identified U.S. patent application and was filed on August 22, 2003. Any statements in this petition equally apply to PCT/JP03/10673 as they do to the applications filed in the foreign countries.

Europe<sup>2</sup>

March 17, 2005

India

March 17, 2005

The verified statement required under 37 C.F.R. § 5.25(a)(3) is attached hereto and demonstrates that the subject matter in question was not under a secrecy order at the time of the filings abroad, that the subject matter in question is not currently under a secrecy order, that a license was diligently sought after discovery of the proscribed foreign filing, and that patent applications containing the subject matter in question were filed abroad through error and without deceptive intent.

Accordingly, Applicants respectfully request the granting of a retroactive foreign filing license for the subject matter contained in U.S. Patent Application No. 10/524,620.

Please deliver the requested license to the petitioner, as follows:

Frank J. Jordan  
Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168

The fee of \$130.00 for the petition under 37 C.F.R. § 1.17(h) is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

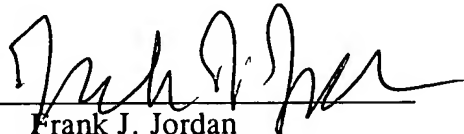
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<sup>2</sup> Designated States: DE, FR, GB, and BE.

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By   
Frank J. Jordan  
Reg. No. 20,456  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

enc: Declaration of Mr. Susumu Kohori

Docket No. F-8592

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Koji OGATA, et al.  
Serial No. : 10/524,620  
Filed : March 17, 2005  
For : CONTINUOUS CASTING OF MOLTEN STEEL  
FOR SHEET METAL  
Group Art Unit :  
Examiner :  
Confirmation No. :  
Customer No. : 000028107

Attention Licensing and Review  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF MR. SUSUMU KOHORI IN SUPPORT OF  
PETITION FOR RETROACTIVE FOREIGN FILING LICENSE**

Mr. Susumu Kohori hereby declares as follows:

1. I am a Japanese citizen residing at 18-10, Tani 2-chome, Chuo-ku, Fukuoka-shi, Fukuoka 810-0031 Japan. I am a patent attorney employed by the Eiwa Patent Firm, which is located in Fukuoka, Japan.
2. On August 22, 2002, February 17, 18, and 22, 2005, and March 17, 2005, I filed, caused, or authorized to be filed patent applications in Japan, Korea, China, Mexico, Brazil, Europe, and India ("the foreign countries") containing the subject matter of U.S. Patent Application No. 10/524,620, having a filing date of March 17, 2005. These patent applications contain material that may have been partially invented in the United States.
3. To the best of my knowledge, the material contained in the patent applications filed in the foreign countries was not under a secrecy order when the filings took place and is not currently subject to a secrecy order under 35 U.S.C. § 181<sup>1</sup>.

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<sup>1</sup> I am not aware of any orders by either the Commissioner of Patents or any department or agency of the United States designating the material of the patent applications filed in the foreign countries as subject to secrecy.



4. At the time the patent applications were filed in the foreign countries, I was unaware of the requirement to obtain a foreign filing license before filing any patent application outside of the United States containing the subject matter of U.S. Patent Application No. 10/524,620. The filing of the patent applications in the foreign countries without a foreign filing license was done through error and without deceptive intent on my part.
5. On March 4, 2005, legal counsel in the United States requested from me information in order to be able to determine whether a retroactive foreign filing license was necessary for the subject matter of U.S. Patent Application No. 10/524,620 and information necessary to obtain a retroactive foreign filing in case one would be needed.
6. I diligently obtained the information requested by U.S. counsel and, on March 24, 2005, provided U.S. counsel information to enable U.S. counsel to determine whether a retroactive foreign filing license was necessary for the subject matter of U.S. Patent Application No. 10/524,620 and information necessary to obtain a retroactive foreign filing license in case one would be needed.

7. On April 4, 2005, U.S. counsel informed me that a retroactive foreign filing license was required for the subject matter of U.S. Patent Application No. 10/524,620.
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Susumu Kohori Date: 10 MAY 2005  
Mr. Susumu Kohori